

REMARKS

Claims 1-7 are pending in this application with claims 1 and 3 being amended by this response.

Claim 1 has been amended to recited “a selected one of a plurality of available non-real-time application programs for displaying images representing non-real-time data on the display device”. Support for this amended can be found throughout the specification and, specifically on page 8, lines 8 – 21. Additionally, claim 3 has been formally amended for purposes of clarity. Therefore, it is respectfully submitted that no new matter has been added by the amendments to claim 1 and 3.

Rejection of Claims 3-6 under 35 USC § 112, second paragraph

Claims 3-6 are rejected under 35 USC § 112, second paragraph, as being indefinite. The claims have been amended in accordance with the comments of the Examiner to remove any indefiniteness and provide antecedent basis for all terms. Specifically, claim 1 has been amended to recited “a selected one of a plurality of available non-real-time application programs”. This amendment provides antecedent basis for the terms objected to by the Examiner. Therefore, in view of the above remarks and amendments to the claims, it is respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 1-7 under 35 USC § 102(e)

Claims 1-7 are rejected under 35 USC § 102(e) as being anticipated by Cavallaro et al. (U.S. Patent No. 6, 793, 625).

Applicant respectfully submits a Declaration pursuant to 37 CFR 1.131 from each named inventor stating that the present invention as claimed in claims 1 – 7 was conceived and reduced to practice prior to the effective date of November 13, 2000 associated with

Application No. 09/991,200 Attorney Docket No. 2000P09062US01
U.S. Patent 6,793,625 issued to Cavallaro et al. In support of this Declaration under 37 CFR 1.131, Applicant further submits Exhibits A and B dated July 28, 2000 and April 18, 2000, respectively. Exhibits A and B, the highlighted sections thereof, clearly disclose and show that the elements claimed in claims 1 – 7 were in fact conceived and reduced to practice prior to November 13, 2000, the effective filing date of Cavallaro et al. Therefore, Applicant respectfully submits that Cavallaro et al. cannot be used as a prior art patent under 35 USC 102(e).

In view of the above remarks and attached declaration and exhibits, it is respectfully submitted that Cavallaro et al. as cited by the Examiner cannot anticipate the present invention as claimed in claims 1 – 7 because the present claimed invention was conceived and reduced to practice prior to the effective date of Cavallaro et al. Therefore, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

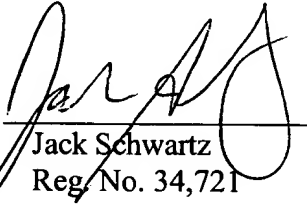
Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

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No additional fee is believed due with this response. However, if a fee is due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,
Samuel Cavallaro et al.

By: 

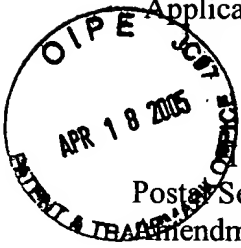
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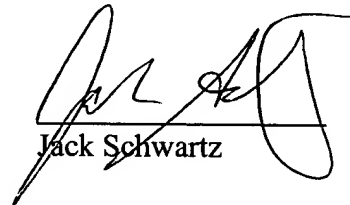
Attorney Docket No. 2000P09062US01

CERTIFICATE OF MAILING



I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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Jack Schwartz